

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	
)	MJ-12-300
Plaintiff,)	
)	
v.)	ORDER OF CLARIFICATION
)	AND DENYING MOTION
BRIAN JAMES ENTZMINGER,)	(ECF No. 14)
)	
Defendant.)	
)	

By Motion for Reconsideration (ECF 14), Defendant requests the striking of the reference that Defendant is "not supervisable" from the removal and detention order at ECF No. 12. The finding is clarified as follows: Defendant is in compliance with his conditions of release set earlier, and there is no evidence of violation of those conditions. In addition, the new allegations flow from alleged conduct preceding the original charges but unknown to the government at that time. However, the new allegations of risk to the community are very serious and if this matter goes to penalty phase, will result in a greater penalty. As there is no mental health assessment in the record to assist in understanding whether the alleged conduct, if proved, may currently reflect a risk to the community, the court concludes Defendant is not supervisable.

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1 The Motion for Reconsideration(ECF 14) is **DENIED**.

2 IT IS SO ORDERED.

3 DATED: August 24, 2012

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5 S/ CYNTHIA IMBROGNO
6 UNITED STATES MAGISTRATE JUDGE
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